



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 09/849,315

RECEIVED

Atty Docket 4025

Filing Date: May 7, 2001

JAN 27 2003

Art Unit 1772

Inventor: Joseph J. Solon

TC 1700

Examiner Alexander S. Thomas

For: Environmentally Safe Method and Apparatus for Storage of Discarded Tire Rubber

NOTICE OF APPEAL

Dear Commissioner of Patents and Trademarks,

This response is timely made within the three month response period expiring Jan. 30, 2003 as set in the final rejection of Oct. 30, 2002 and encloses the \$160.00 small business appeal fee under 1.17(b).

Applicant hereby appeals the decisions of the Examiner in the Final Rejection as expressed in the Advisory Action of Jan. 8, 2003 now set forth:

- (1) The Examiner errs in not considering the declaration under 37 CFR 1.132 traversing the Examiner's rejection grounds;
- (2) The Examiner errs in objecting to Claims 3-8, 12 and 16; and
- (3) The Examiner errs in rejecting Claims 1, 2, 9-11 and 13-15.

Respectfully Submitted, Jan. 17, 2003

Laurence R. Brown

Laurence R. Brown, Counsel of Record
Enc. \$160.00 Appeal fee

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